

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MARIETTA DOBBINS,)	CASE NO. 1: 14 CV 253
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>ORDER ADOPTING</u>
)	<u>MAGISTRATE'S REPORT AND</u>
)	<u>RECOMMENDATION</u>
JACOB J. LEW, Secretary of the)	
Treasury,)	
)	
Defendant.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge William H. Baughman, Jr. (ECF #15) *Pro Se* Plaintiff Dobbins, a bankruptcy specialist for the Internal Revenue Service's ("IRS") Small Business/Self-Employed Division, filed this employment discrimination action against Mr. Lew, Secretary of the Treasury. The government filed a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) asserting that the action should be dismissed for Plaintiff's failure to exhaust her administrative remedies. After a thorough review of the law and facts of this particular action, Magistrate Judge Baughman determined that Plaintiff in fact did not exhaust her administrative remedies in that she failed to timely file her appeal with the EEOC. As such Magistrate Baughman recommends that Defendant's motion to dismiss be granted. A copy of Magistrate Baughman's Report and Recommendation was sent to the Plaintiff. The Plaintiff has not filed any objection to the Report and Recommendation.

The Court has reviewed *de novo* the Report and Recommendation, *see Ohio Citizen Action v. City of Seven Hills*, 35 F. Supp. 2d 575, 577 (N.D. Ohio 1999), and ADOPTS the

Report and Recommendation in its entirety. Defendant's Motion to Dismiss (ECF #11) is granted.

IT IS SO ORDERED.

DATED: December 10, 2014


DONALD C. NUGENT
United States District Judge